

IFW/1625



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Federal Agencies

March 19, 2007

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit To Be Assigned

Attn: Mail Stop Amendment

WRITER'S DIRECT NUMBER:
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BSKELTON@SKGF.COM

Re: U.S. Utility Patent Application
Application No. 10/568,355; Filed: February 14, 2006
For: **Method For Producing α -Fluoromalonic Acid Dialkyl Esters**
Inventors: GUNTHER *et al.*
Our Ref: 2400.0200000/VLC/BLS

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement under 37. C.F.R. § 1.97(b);
2. Form PTO/SB/08A (1 sheet);
3. Form PTO/SB/08B (1 sheet); and
4. Copies of the eight (8) cited documents (FP1 - FP6 and NPL1 - NPL2); and
5. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
March 19, 2007
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "B. Skelton", with a stylized flourish at the end.

Bryan L. Skelton
Attorney for Applicants
Registration No. 50,893

BLS/egw
Enclosure(s)

653525v1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

GÜNTHER *et al.*

Appl. No.: 10/568,355 (U.S. Nat'l Phase
of PCT/EP2004/009117)

Int'l. Filing Date: August 13, 2004

For: **Method For Producing
 α -Fluoromalonic Acid Dialkyl
Esters**

Confirmation No.: 2719

Art Unit: *To Be Assigned*

Examiner: *To Be Assigned*

Atty. Docket: 2400.0200000/VLC/BLS

**Information Disclosure Statement
under 37 C.F.R. § 1.97(b)**

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms, PTO/SB/08A and PTO/SB/08B, are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Copies of documents **FP1** to **FP6** and **NPL1** to **NPL2** are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), copies of U.S. patents and a patent application publication cited on the attached Form PTO/SB/08A, documents **US1** to **US3**, are not submitted.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following discussion of the relevance of the non-English language documents, **FP1** to **FP6**, cited on Form PTO/SB/08A:

Document **FP2**, WO 98/21189 A1, is in the German language. An English language abstract of document **FP2** can be found on the face page of the published patent application.

Document **FP3**, WO 02/16304 A1, is in the German language. An English language abstract of document **FP3** can be found on the face page of the published patent application.

Document **FP5**, EP 0 882 043 B1, is in the German language. An English language equivalent of document FP5 is listed as **US2**.

Document **FP6**, EP 0 970 057 B1, is in the German language. An English language equivalent of document FP6 is listed as **US3**.

Documents **FP1** and **FP4** were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38. The search report is attached as document **NPL2** on the IDS Form, PTO/SB/08B.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

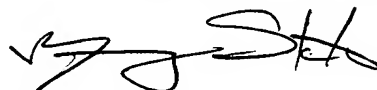
This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

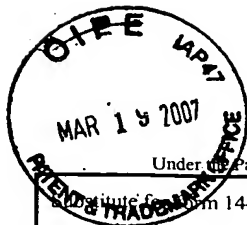


Bryan L. Skelton
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Date: MARCH 19, 2007

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Equivalent of Form PTO/SB/08B (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/568,355 (U.S. Nat'l Phase of PCT/EP2004/009117)
Int'l Filing Date	August 13, 2004
First Named Inventor	GÜNTHER, Andreas
Art Unit	To Be Assigned
Examiner Name	To Be Assigned
Attorney Docket Number	2400.0200000/VLC/BLS

Sheet	1	of	1
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NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	NPL1	Ishikawa, N., <i>et al.</i> , "Preparation of 2-Fluoromalononic Esters and Related Compounds from Hexafluoropropene," <i>J. Fluorine Chemistry</i> 25:203-212, Elsevier Sequoia (1984)	
	NPL2	International Search Report for International Application No. PCT/EP2004/009117, European Patent Office, Netherlands, mailed on January 24, 2005	

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Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.